

UNCLASSIFIED

K251

ACTION IO-00

RELEASED IN FULL

INFO	LOG-00	EEB-00	AF-00	AID-00	CIAE-00	INL-00	DODE-00
	WHA-00	EAP-00	DHSE-00	EUR-00	UTED-00	TEDE-00	INR-00
	LAB-01	L-00	NEA-00	DCP-00	NSAE-00	ISN-00	NSCE-00
	OIC-00	OIG-00	OMB-00	NIMA-00	PA-00	GIWI-00	PRS-00
	P-00	ISNE-00	DOHS-00	SP-00	SS-00	STR-00	TRSE-00
	NCTC-00	FMP-00	PRM-00	DRL-00	G-00	SCA-00	SAS-00
	FA-00	SWCI-00	/001W				

-----94D56C 201639Z /38

R 201634Z MAR 07
FM USMISSION GENEVA
TO SECSTATE WASHDC 3257
INFO USMISSION USUN NEW YORK

UNCLAS GENEVA 000687

STATE FOR IO/RHS, DRL-MLGA-DL, L/HRR, S-WCI-SANDY HODKINSON

E.O. 12958: N/A
TAGS: PHUM, UNHRC-1
SUBJECT: SCHEININ'S VISIT - GENEVA 2006 CORRESPONDENCE LOG #20

1. Mission has received a communication from the UN Special Rapporteur on Human Rights and Counter Terrorism, Martin Scheinin, following his meeting with Legal Adviser, Political Counselor and his letter of February 8. The communication contains lists of names of detainees and detention facilities, which he would like to visit. It is number 20 on the Geneva 2006 Communications Log.

2. Begin text of letter:

20 March 2007

Excellency,
Once again I welcome this occasion to address you in my capacity as the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. Further to my meeting of 1 February with Ms. Velia de Pirro, Political Affairs Advisor and Mr. Jeffrey Kovar, Legal Affairs Advisor and my letter of 8 February I would like to follow up on two specific issues regarding my upcoming visit to the United States of America scheduled to take place from 16 to 25 May 2007.
Pursuant to my mandate and in accordance with the standard Terms of Reference for Fact Finding Missions by Special Rapporteurs (which were attached to my letter of 5 January 2007), I would like to formally request to visit detention centres and interview persons held in relation to countering terrorism or being a threat to national security or persons convicted or terrorist offences. Please see attached Annex A which lists the names of detainees, if known,

UNCLASSIFIED

UNCLASSIFIED

and the detention facility and location. Specifically, I am hereby requesting access to at least one of the institutions listed under item I in Annex A; to at least one of the institutions listed under item II in Annex A, and to at least one of the persons listed under item III in Annex A. In respect of all three categories, I am requesting a possibility to interview the detainees without the presence of authorities, subject to consent by the detainees in question. I thank your Excellency's Government in advance for sending this formal request to the appropriate authorities to assist with this important component of my visit.

In addition, I would be very interested in attending and observing judicial proceedings regarding detainees held for terrorism-related reasons. Therefore please see attached Annex B which lists trials that may be underway during the time of my visit. I am of course particularly interested in the commencement of the trials of the Guantanamo Bay detainees pursuant to the Military Commissions Act and hereby request a possibility to attend one or more of those hearings that will be ongoing during my visit of 16-25 May. If these trials have not yet commenced during my visit I would like to express my interest in being able to observe a segment of these hearings at a later date.

I would like to thank your Excellency in advance for your Government's cooperation and assistance regarding my visit. I would be happy to make myself available for any other consultations which you may consider desirable. Please feel free to contact my assistant Sonia Cronin, scronin@ohchr.org, 022 917 9160.

Please accept, Excellency, the assurances of my highest consideration.

Martin Scheinin

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. End of text.

Begin text of Annexes.

Annex A

Detainees/Detention Centres I. Detained terrorism suspects

a) Detainees at Guantanamo Bay

Camp 6 - the 14 detainees transferred to Guantanamo in September 2006

Khalid Sheikh Mohammed
Abu Zubaydah
Ramzi Binalshibh
Hambali
Mustafa Ahmad al-Hawsawi
Abu Faraj al-Libbi
Mohammed Nazir Bin Lep
Ali Abd al Aziz Ali

UNCLASSIFIED

UNCLASSIFIED

Walid bin Attash
Majid Khan
Abd al-Rahim al-Nashiri
Ahmed Khaflan Ghailani
Gouled Hassan Dourad
Mohd Farik Bin Amin

Other Guantanamo detainees:*

Gholam Ruhani
Abdul Haq Wasiq
Mohammed Rajab Sadiq Abu Ghanim
Muhammad Mani Ahmed Al Shal Ian Al Qathani
Arkin Mahmud
Abdul Aziz Saad Al Khaldi
Ahmad Tourson
Hassan Anvar

Fadil Husayn Salih Hintif
Juma Mohammed Abdul Latif Al Dosari
Bahtiyar Mahnut
Dawut Abdurehim
Saiid Farhi
Abu Bakir Jamaludinovich
Abdallah Paris al Unazi Thani
Abdel Hamid Ibn Abdussalem Ibn Miftah Al Ghazzawi
Fawaz Naman Hamoud Abdullah Mahdi
Omar Khalifa Mohammed Abu Bakr
Ravil Mingazov
Aziz Abdul Naji Saifullah Paracha Jumma Jan
Sanad Yislam Al Kazimi Mohammed Ahmed Binyam

*Legal counsel representing these detainees have obtained the consent of their respective clients to meet with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Mr. Scheinin

b) Other Detainees

Consolidated Naval Brig, Charleston, North Carolina - detainee Al Marri

Miami Federal Detention Centre - detainee Jose Padilla

Communications Management Unit (CMU), Terre Haute, Indiana - detainees include five members of the so-called Lackawanna Six, Enaam M. Arnaout, Rafil Dhafir

The United States Penitentiary Administrative Maximum Facility (ADX), Florence, Colorado - detainees Richard Reid and Zacarias

UNCLASSIFIED

UNCLASSIFIED

Moussaoui

II. Detainees held under Immigration holds due to national security concerns

Piedmont Regional Jail, Farmville, Virginia - last known place of detention for immigration detainee Majed Hajbeh

Krome Immigration Detention Centre, Miami or other detention centre near an international airport (ie. New York City) where there are detainees being held on these grounds

III. Persons who may be detained in an unknown location**

Ibn al-Shaykh al-Libi
Mohammed Omar Abde-Rahman
Yassir al-Jazeeri
Suleiman Aabdalla Salim
Marwan al-Adeni
AH Abd al Rahman al Faqasi al Ghamdi
Hassan GhulAyoub al-Libi
Mohammed al Afghani
Abdul Basit
Mohammed Naeem Noor Khan
Muhammad Setmariam Nasar
Abd al-Hadi al-Iraqi
Anas al-Liby
Retha al-Tunisi
Sheikh Ahmed Salim
Saif al Islam el Masry
Amin al-Yafia
Aafia Siddiqui
Jawad al-Bashar
Safwan al-Hasham
Abu Naseem
Salid bin Azmi
Ibad Al Yaquti al Sheik al Sufiyan
Amir Hussein Abdullah al-Misri
Khalid al-Zawahiri
Musaab Aruchi
Qari Saifullah Akhtar
Mustafa Mohamed Fadhil
Sharif al-Masri
Osama Nazir
Osama bin Yousaf
Speen Ghul

**The names of these detainees are from the following source: Human Rights Watch letter dated 26 February 2007 addressed to President Bush regarding persons who may have been detained by the Central

UNCLASSIFIED

Intelligence Agency.

Annex B

Pending trials

Miami - Jose Padilla, Adham Amin Hassoun and Kifah Wael Jayyousi - trial scheduled to start on 16 April charged with conspiring to support terrorist activities and to commit murder, kidnapping and maiming abroad

Guantanamo Bay - David Hicks was formally charged on 1 March, the preliminary hearing is expected to be held within 30 days, and therefore a jury trial will start within 120 days, in accordance with the Military Commissions Act of 2006

Guantanamo Bay - other trials of detainees which are scheduled to commence in coming months

End of text of annexes.

TICHENOR

NNNN

UNCLASSIFIED